

Plaintiff's letter-motion requesting a 45-day extension of the social security briefing schedule (ECF No. 20) is GRANTED IN PART AND DENIED IN PART, and the Court EXTENDS the briefing schedule by 30 days as follows:

Plaintiff's Cross-Motion by **Monday, November 29, 2021**;
Defendant's Reply, if any, by: **Monday, December 20, 2021**.

The Clerk of Court is respectfully directed to close ECF No. 20.

SO ORDERED 10/28/2021


Sarah L. Cave
United States Magistrate Judge

VIA ELECTRONIC CASE FILING ("ECF")

The Honorable Sarah L. Cave, USMJ
United States District Court
Southern District of New York
Daniel Patrick Moynihan
500 Pearl Street, Courtroom 18A
New York, New York 10007

Re: Hugo A. Garcia v. Kilolo Kijakazi, Acting Commissioner of Social Security
Index No.: 1:20-cv-07539-PAE-SLC
Letter Motion Requesting Additional Time to File Plaintiff's Notice of Appearance and Cross-Motion for Judgment on the Pleadings

Dear Hon. Cave:

Manhattan Legal Services ("MLS"), through the undersigned, has agreed to represent Plaintiff, Hugo Antonio Garcia (hereinafter referred to as "Mr. Garcia" or "Plaintiff") in the above-captioned matter. Please accept this correspondence in relation to Plaintiff's Cross-Motion for Judgment on the Pleadings, which is due on Thursday, October 28, 2021, pursuant to the Scheduling Order.

As Your Honor may be aware, Plaintiff, through the undersigned, has submitted his moving papers seeking to admit the undersigned as his advocate and counsel, *pro hac vice*, on October 26, 2021. However, to the extent that the Motion to Admit Counsel *Pro Hac Vice* has not yet been decided upon, the undersigned is not yet able to make a Notice of Appearance, nor cross-move the Court for judgment on the pleadings.

As such, we respectfully request Your Honor expand time as to allow the undersigned to properly appear as counsel and advocate for Mr. Garcia, as well as complete our investigation of Mr. Garcia's underlying contentions, and submit an adequate and responsive Cross-Motion for Judgment on the Pleadings on behalf of Mr. Garcia.

Moreover, we note that, prior to motioning the Court for an expansion of time to appear and respond, the undersigned has obtained the mutual consent of Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (hereinafter referred to as "Commissioner" or "Defendant"), through her counsel, Mr. Daniel Fogelman and Ms. Maria Pia Fragassi Santangelo, at the Social Security Administration Office of the General Counsel.

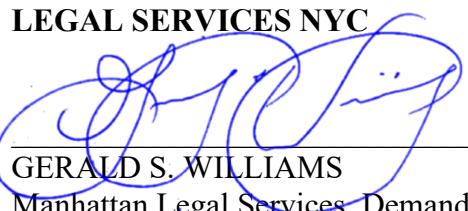
Accordingly, we kindly and respectfully request Your Honor expand time of the cross-motion due date by forty-five (45) days, or to a date that Your Honor deems fair and adequate to appropriately appear and respond in this matter.

Should Your Honor have any questions or concerns, please contact me either at (646)237-7769 or via electronic mail at gwilliams@lsnyc.org. Best wishes for continued good health during these uncertain times.

Thank Your Honor for Your Consideration to this request.

Respectfully Submitted,

LEGAL SERVICES NYC



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Notice Sent to Defendant via electronic mail at: maria.fragassi@ssa.gov. Additional notice submitted at daniel.fogelman@ssa.gov.